

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
MIDLAND/ODESSA DIVISION**

**SCOT CARLEY, On Behalf of Himself
and All Others Similarly Situated,
*Plaintiff,***

v.

**CREST PUMPING TECHNOLOGIES,
LLC,
*Defendant.***

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NO. MO:15-CV-00161-RAJ-DC

ORDER SETTING HEARING ON GOOD FAITH DEFENSE

It is **HEREBY ORDERED** that the above entitled and numbered case is set for **HEARING** on the issue of Defendant Crest Pumping Technologies, LLC's ("Defendant") good faith defense in Courtroom 1, on the First Floor of the United States Courthouse, 200 E. Wall Street, Midland, TX, on **Monday, October 31, 2016, at 10:00 a.m.**

The Parties shall serve and file the following information at least 14 days before the scheduled date for the hearing on Defendant's good faith defense:

- (1) an appropriate identification of each exhibit separately identifying those that the party expects to offer at the hearing and those that the party may offer if the need arises;
- (2) the name and, if not previously provided, the address and telephone number of each witness separately identifying those whom the party expects to be present and those whom the party may call if the need arises;
- (3) the name of those witnesses, if any, whose testimony is expected to be presented by means of a deposition and designation by reference to page and line of the testimony to be offered and a transcript of the pertinent portions of the deposition testimony; and
- (4) Proposed Findings of Fact and Conclusions of Law regarding Defendant's good faith defense.

The Parties shall serve and file the following at least 7 days prior to the scheduled date for the hearing on Defendant's good faith defense:

- (1) a list disclosing any objections to the use under Federal Rule of Civil Procedure 32(a) of deposition testimony designated by the other party; and
- (2) a list disclosing any objection, together with the grounds therefore, that may be made to the admissibility of any exhibits. Objections not so disclosed, other than objections under Federal Rules of Evidence 402 and 403 shall be deemed waived unless excused by the court for good cause shown.

It is so **ORDERED**.

SIGNED this 28th day of September, 2016.



DAVID COUNTS
U.S. MAGISTRATE JUDGE